

ORIGINAL

EDWARD H. KUBO, JR. 2499
United States Attorney
District of Hawaii

THOMAS MUEHLECK 3591
Assistant U.S. Attorney
Room 6100, PJKK Federal Building
300 Ala Moana Blvd.
Honolulu, Hawaii 96850
Telephone: 541-2850
Facsimile: 541-2958
Tom.Muehleck@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAR 15 2006
at 4:50 o'clock and 1 min.
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. 05-00367-04 DAE
)
Plaintiff,) MOTION TO DETAIN DEFENDANT
)
vs.) WITHOUT BAIL
)
SANFORD JACOBSON, (04),)
)
Defendant.)
)

MOTION TO DETAIN DEFENDANT WITHOUT BAIL

The United States hereby moves to detain defendant without bail, pursuant to 18 U.S.C. Section 3142.

1. Eligibility of Case. This defendant is eligible for detention because the case involves (check all that apply):

- a. Offense committed on release pending felony trial (3142(d)(1)(A)(i))*
- b. Offense committed on release pending imposition, execution, or appeal of sentence, conviction or completion of sentence (3142(d)(1)(A)(ii))*
- c. Offense committed while on probation or parole (3142(d)(1)(A)(iii))*

- d. A citizen of a foreign country or unlawfully admitted person (3142(d)(1)(B))*
- e. Crime of violence (3142(f)(1)(A))
- f. Maximum sentence life imprisonment or death (3142(f)(1)(B))
- g. 10+ year drug offense (3142(f)(1)(C))
- h. Felony, with two prior convictions in above categories (3142(f)(1)(D))
- i. Serious risk defendant will flee (3142(f)(2)(A))
- j. Danger to other person or community **
- k. Serious risk obstruction of justice (3142(f)(2)(B))
- l. Serious risk threat, injury, intimidation of prospective witness or juror (3142(f)(2)(B))

* requires "i" or "j" additionally

** requires "a", "b", "c", or "d" additionally

2. Reason for Detention. The court should detain defendant (check all that apply):

- a. Because there is no condition or combination of conditions of release which will reasonably assure defendant's appearance as required (3142(e))
- b. Because there is no condition or combination of conditions of release which will reasonably assure the safety of any other person and the community (3142(e))
- c. Pending notification of appropriate court or official (not more than 10 working days (3142(d))

3. Time for Detention Hearing. The United States requests that the court conduct the detention hearing:

- a. At first appearance
- b. After continuance of 3 days (not more than 3)

4. Rule 40 Cases. The United States requests that the detention hearing be held:

- a. In the District of Hawaii
- b. In the District where charges were filed

5. Other Matters. The defendant has a prior federal felony conviction.

DATED: March 15 2006, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By T. Muehleck
THOMAS MUEHLECK
Assistant U.S. Attorney